

Readopt with amendment Rea 204.06, effective 6-28-01 (Document #7519), to read as follows:

Rea 204.06 Adjustment by Conciliation.

- (a) For purposes of this section "informal disposition" means resolution of the complaint without a hearing on the merits and with the consent of the licensee and approval of the commission, pursuant to RSA 331-A:29 and RSA 541-A:31, V(a) and (b).
- (b) The evaluating commission member, the executive director or designee shall attempt to resolve the complaint informally pursuant to RSA 331-A:29, I and RSA 541-A:31, V.
- (c) *When resolving a complaint informally, the commission shall:*
 - (1) Inform the licensee that any proposed settlement agreement is voluntary; and*
 - (2) Inform the licensee that they may be represented by counsel at an informal disposition at the licensee's expense.*
- ~~(e)~~(d) A proposed informal disposition of a complaint shall be presented to the commission for its consideration. The proposed settlement agreement shall be in writing, signed at a minimum by the licensee and executive director, and be notarized.
- ~~(d)~~(e) A proposed settlement agreement shall at a minimum set forth the allegations made in the complaint, the conditions agreed upon, and the consequences of noncompliance.
- ~~(e)~~(f) The commission shall accept the proposed settlement agreement in whole or in part, reject the proposed settlement agreement or indicate that it would accept the proposed settlement agreement with specified conditions or amendments.